

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

RICHARD C. GALLIEN and)
HARRY P. GALLIEN, JR.,)
)
Plaintiffs,)

v.)

Case No.CV408-241

JERALD BINKLEY, MYKHAEL)
FINCHER, STEVE MENGES,)
ROBBIE HUGHES, SHAWN FIELDS,)
ANTHONY MARTIN, DOUG)
FRANKS, JOE LONG, LIBERTY)
COUNTY DRUG TASK FORCE,)
LIBERTY COUNTY SHERIFF'S)
DEPARTMENT, UNITED STATES)
POST OFFICE, MAGISTRATE)
JUDGE DAVID ASPINWALL, III,)
MAGISTRATE JUDGE J.R. BOMAR;)
BARRY WILKES, *Clerk of Court,*)
Liberty County; and THOMAS)
DURDEN, *District Attorney, Atlantic*)
Judicial Circuit,)
)
Defendants.)

REPORT AND RECOMMENDATION

Plaintiffs filed this 42 U.S.C. § 1983 case on December 8, 2008, but have since abandoned any effort to litigate it. They failed, for example, to serve the defendants within the 120 days that Fed. R. Civ. P. 4(m) commands. They also failed to keep this Court current on their address.

See doc. 33-35 (Court Order returned as "undeliverable"). Local Rule 11.1 places a continuing duty on attorneys and pro se litigants to keep the Court apprised of their current address. Without a current mailing address, the Court cannot move this case forward or even communicate with the plaintiffs. A court has the power to prune from its docket those cases that amount to no more than mere deadwood. Accordingly, plaintiffs' complaint should be **DISMISSED** without prejudice for their failure to prosecute this action. L.R. 41(b); see *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, No. CV491-277 (S.D. Ga. June 10, 1992).

SO REPORTED AND RECOMMENDED this 14th day of April, 2009.

/s/ G.R. SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA